

REMARKS

Claims 1, 2 and 4-10 are pending in the present application. The Examiner rejected the pending claims under 35 U.S.C. § 103(a) as being unpatentable over Fujimori et al. (U.S. Patent No. 6,148,051) in view of Nakai et al. (U.S. Patent Pub. No. 2002/0064185 A1) in a final Office Action dated June 25, 2008.

Applicants submit herewith a request for continued examination pursuant to 37 C.F.R. 1.114 with this Amendment as the requisite submission. With entry of this Amendment, Applicants amend claims 1, 2, 4, 5 and 7-10. Reexamination and reconsideration are respectfully requested.

A. Claim 1

Applicants have amended claim 1 in two principal ways.

1. Asynchronous Transfer of a Command with a Time-Stamp

First, Applicants have made clear that the claimed system relates to a combination of isochronous transfer and asynchronous transfer where a command with a time-stamp is transferred using the asynchronous transfer. Specifically, claim 1 as amended recites: “*data is periodically transferred by an isochronous transfer following the cycle start packet, and a command is transferred by an asynchronous transfer using a time period after the isochronous transfer until the next cycle start packet*” and “*a controller . . . comprising a transmitter that transmits a command including a time-stamp based on the synchronized clock to a target apparatus by using the asynchronous transfer.*” These recitations will be referred to as the first group of recitations in this response.

2. Interim Response and Complete Response

Second, Applicants have made clear that the target apparatus sends *two* responses in response to the command. First, “*an interim response*” is transmitted “reflecting that the received command will be executed when a current time based on the synchronized clock reaches a time

represented by the time-stamp included in the command.” Second, “*a complete response*” is provided that indicates completion of executing the command. These recitations will be referred to as the second group of recitations in this response.

3. Fujimori and Nakai fail to disclose the two groups of recitations.

In the Office Action, the Examiner asserts that the Applicants have broadly interpreted the claims, thereby resulting in the rejection. (Office Action, at 6-7.) Applicants respectfully note that the two groups of recitations above are simply not found in Fujimori or Nakai whether they are interpreted broadly or otherwise.

a. Fujimori

With respect to the first group of recitations, the Examiner cites Figs. 1-6 and Col. 1, lines 44-57 of Fujimori as disclosing transferring commands with a time-stamp using asynchronous transfer. Fig. 3 discloses a packet train 9 having a synchronous data packets 92 and asynchronous data packets 93. While a given synchronous data packet has a time-stamp, Fujimori does not disclose that a given asynchronous data packet has a time-stamp. For example, Fig. 3 shows time stamp data T1, T2, etc. for the synchronous data packets, but no such data time-stamps are shown for the asynchronous data packets.

Furthermore, at Col. 6, lines 51-64, Fujimori explains separating the time stamp data from the synchronous data packet using a data separating circuit, but not performing the same operation for an asynchronous data packet: “It should be noted that that the data separating circuit 55 performs nothing on the data packets contained in the asynchronous data packet set, and therefore transfers the asynchronous packets to the receive data buffer 2 as it is.” Applicants thus respectfully submit that Fujimori does not disclose transferring a command with a time-stamp using asynchronous transfer.

Even if Fujimori disclosed the first group of recitations, it fails to disclose the second group of recitations relating to the “interim” and “complete” responses. The Examiner cites Fig. 1-6 and

the Abstract as disclosing an interim response. (*Id.* at 3.). Applicants have reviewed the cited sections of Fujimori and do not see any disclosure or suggestion of the recited interim response, *i.e.*, “an interim response . . . reflecting that the received command will be executed when a current time based on the synchronized clock reaches a time represented by the time-stamp included in the command.” Applicants respectfully request that the Examiner point out where in Fujimori he finds the recited interim response. With respect to the recited “complete” response, the Examiner acknowledges that Fujimori fails to disclose it. (Office Action, at 4.)

b. Nakai

With respect to the first group of recitations, Nakai is not directed to transferring a command with a time-stamp using *asynchronous transfer*. Nakai is directed to a system measuring a transfer delay time for defining a cycle time synchronization so as to provide an isochronous transfer with *high precision*. (See, *e.g.*, paragraph 0022 of Nakai.) Applicants respectfully request that the Examiner point out where in Nakai he finds transferring commands using asynchronous transfer.

With respect to the second group of recitations, the Examiner did not cite Nakai for disclosing the recited interim response, *i.e.*, “an interim response . . . reflecting that the received command will be executed when a current time based on the synchronized clock reaches a time represented by the time-stamp included in the command.” Thus, on this basis alone, claim 1 is patentable over Fujimori and Nakai as neither discloses the recited interim response.

Accordingly, Applicants respectfully submit that claim 1 is patentable over Fujimori and Nakai.

B. Claim 2

Applicants have amended claim 2 in a similar manner to claim 1. Applicants respectfully submit that claim 2 is patentable over Fujimori and Nakai for at least the reasons set forth above with respect to claim 1.

C. Claims 4-6

Claims 4-6 depend from claim 1. Applicants have amended claims 4 and 5 to better claim the invention and in view of the amendments to claim 1. Applicants respectfully submit that claims 4-6 are patentable over Fujimori and Nakai for at least the reasons set forth above with respect to claim 1.

D. Claim 7

Claim 7 is directed to a command synchronization establishment method and has been amended in a similar manner to claim 1. Applicants respectfully submit that claim 7 is patentable over Fujimori and Nakai for at least the reasons set forth above with respect to claim 1.

E. Claim 8

Claim 8 is directed to a controller for a command synchronization establishment system. Applicants have amended claim 8 in a similar manner to claim 1 to recite the controller using asynchronous transfer to transfer a command with a time stamp and to receive interim and completed responses, *i.e.*, a receiver that receives “the interim response reflecting that the received command will be executed when the current time based on a shared clock reaches a time represented by a time-stamp included in the command and that receives the complete response indicating completion of executing the command.” Accordingly, Applicants respectfully submit that claim 9 is patentable over Fujimori and Nakai.

E. Claim 9

Claim 9 is directed to a target apparatus and has been amended in a similar manner as claim 1. As discussed above with respect to claim 1, there is no disclosure in Fujimori or Nakai of a target device having a transmitter that transmits “an interim response representing to the controller reflecting that the received command will be executed when a current time based on the

synchronized clock reaches a time represented by the time-stamp included in the command.” Accordingly, claim 9 is patentable over Fujimori and Nakai for at least this reason.

E. Claim 10

Claim 10 is directed to a command synchronization system and has been amended in a similar manner as claim 1. Applicants have added a “means for receiving” that had been inadvertently dropped in the previous amendment. Applicants respectfully submit that claim 10 is patentable over Fujimori and Nakai for at least the reasons set forth above with respect to claim 1.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at (213) 892-5630.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 393032040300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,



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